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REGIONAL AIR POLLUTION CONTROL AGENCY

Serving Clark, Darke, Greene, Miami, Montgomery & Preble Counties

117 South Main Street, Dayton, Ohio 45422-1280

937-225-4435 — Fax: 937-225-3486

www.rapca.org

August 26, 2009

Certified Mail

Zach Santmyer
SOCI Petroleum
1055 West Old Lincoln Way
Wooster, Ohio 44618

Notice of Violation (Non-HPV)

Dear Mr. Santmyer:

On August 21, 2009, a representative of the Regional Air Pollution Control Agency (RAPCA) observed the dropping of fuel from a SOCI Petroleum tanker at the Shell gasoline dispensing facility located at 1951 Lower Bellbrook Avenue in Xenia, Ohio. The RAPCA representative witnessed the dropping of fuel with the Stage I adapter hooked to the dry break but without the vapor recovery hose attached to the Stage I adapter. These actions cause excess emissions of volatile organic compounds (VOCs) into the atmosphere, and are in violation of both state and local air pollution control regulations. The following information was taken from the tanker truck; USDOT # 1014266, Truck # 105. The operator of the gasoline tanker was identified as Neil.

Ohio Administrative Code (OAC) rule and Green County Board of Health Air Pollution Control Regulations (GCBHAPCR) 3745-21-09 (V)(1)(i) state, "No gasoline tank truck is to be used for the transfer of gasoline at a bulk gasoline terminal, bulk gasoline plant or gasoline dispensing facility that employs a vapor balance system or vapor control system unless the transfer is done in a manner that ensures the proper operation of the vapor balance system or vapor control system."

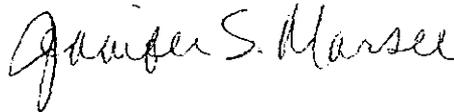
Because SOCI Petroleum was found operating in violation of OAC rule and GCBHAPCR 3745-21-09 (V)(1)(i) and Ohio Revised Code (ORC) 3704.05, it is imperative SOCI Petroleum respond to this notice within thirty (30) days after receipt of this letter. The response will specify the intended compliance plan, the specific compliance steps to be taken, and the projected schedule for achieving and maintaining compliance with the above mentioned regulations.

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Acceptance of the compliance plan and schedule by RAPCA does not constitute a waiver of the Ohio EPA's or RAPCA's authority to seek civil penalties as provided in sections 3704.06 and 3707.49 of the Ohio Revised Code. The determination to pursue or not to pursue such penalties will be made by the Ohio EPA and RAPCA at a later date.

If you have any questions or comments concerning this matter please contact me or Jefferis R. Canan at 225-4435.

Sincerely,



Jennifer S. Marsee
Supervisor
Abatement Unit

cc: Tom Kalman, Ohio EPA
Lisa Holscher, U.S. EPA

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